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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,565	06/28/2001	Tomoko Terakado	450100-03299	5357
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FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			PARRY, CHRISTOPHER L	
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DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/894,565	Applicant(s) TERAKADO ET AL.	
	Examiner Chris Parry	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☒ Claim(s) 1 & 24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>01/20/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The following title is suggested: Control System For A Home Appliance Network.
2. The disclosure is objected to because of the following informalities: On page 10, line 24; a "control manager" is described for the content control unit 403. It is Examiner believes applicant is actually referring to the "content manager" in figure 4.

Appropriate correction is required.

Claim Objections

3. Claim 1 is objected to because of the following informalities: Claim reads to interpret that control system comprises of a first server because of reference to second and third servers. Applicant should amend second and third server to first and second server. Applicant should make similar changes to the other limitations.

Appropriate correction is required.

4. Claim 24 is objected to because of the following informalities: The language used for Claim 24 is not consistent with language used in previous claims. Examiner recommends claim be amended to "A control system according to Claim 23, wherein the control data includes an electronic program guide."

Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-13 and 15-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koninklijke Philips Electronics (hereinafter "Philips") (WO 00/28436) in view of Pronto Universal (hereinafter "Pronto") (©2000 Philips Consumer Electronics).

Figure 3 of Philips show a client-server system with an end-user's home network 302 as a client with a server system 304. Server system 304 keeps a cumulative data base of hardware and software features available for CE and home automation devices/services (page 6, lines 6-8). Philips teaches information about the network's profile resides in the following places: the remote (since it has the GUI and control codes for at least the IR-controllable part of the equipment), the PC, and the server (page 6, lines 11-14). The sever system 304 comprises a registration server 120, a user profile data base 122, a feature management system 126, and a feature data base 124. The server system 304 connects to the end-user's home network via PC 320. According to Philips, the user has a "Pronto" universal programmable remote control, where server system 304 creates a data base for the GUI data of universal remote control 322. The data base is transferred e.g., via the Internet 118, from server 126 to PC 320 from where remote controller 322 is programmed accordingly (page 11, lines 30-34 through page 12, lines 1-6).

Regards to Claim 1, Philips fails to teach whether the "Pronto" universal programmable remote control device 322 has a display screen that can also be used as a touch panel. Philips also fails to disclose that the "Pronto" universal programmable remote control device 322 operates a predetermined electronic apparatus. Pronto discloses that the TSU2000 comes with a large high resolution LCD touch screen display (page 1, 3rd bullet). Pronto also discloses in the figure on page 1, that the TSU2000 does operate a predetermined electronic apparatus and other electronic apparatuses can be chosen from an on screen selection.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a control system with a universal remote control that operates a predetermined electronic apparatus that comprises a display screen that can be used as a touch panel. One would have been motivated to implement this system with a touch screen display as to allow the user to customize the operational buttons for each electronic apparatus as well as change between operating predetermined electronic apparatuses.

For Claim 2, the Philips reference in view of Pronto shows a remote control as the first control apparatus.

Then, for Claim 3, the network comprises the Internet, which is used to connect the second and third servers (Figure 3 of Philips).

With regards to Claim 4, figure 3 of Philips shows electronic apparatuses that comprise of home appliances and audio-visual apparatuses connected to the second server, which is PC 320.

As to Claim 5, Philips discloses the use of the "Pronto" universal programmable remote control (page 11, lines 30-31), but fails to teach that the display screen of the "Pronto" universal remote control comprises a liquid crystal display screen. Pronto teaches the use of a large high resolution LCD (liquid crystal display) touch screen display (page 1, 3rd bullet) for the TSU2000 remote control. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the use of a LCD display screen for a remote control. One would have been motivated to use a LCD screen for the advantages of a smaller chip that provides better color, sharper images, and a brighter display at a lower cost.

As to Claim 6, Philips teaches in figure 3, PC 320 receives information from server 126 (page 12, lines 4-5) through home network 316 and PC 320 sends information to "Pronto" universal programmable remote control 322 (page 12, lines 4-6). Philips fails to teach how the "Pronto" universal programmable remote control 322 sends and receives information from PC 320. Pronto teaches the TSU2000 is capable of communicating through two-way IR and two-way RS232 serial port (page 2, column 2 of specification). However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a system where the home server and remote control were capable of communicating through wired or wireless connections. One would have been motivated to implement a system for this purpose for the advantage of sending and receiving information from up close in distance or from another room.

As to Claim 7, Philips fails to define the data communicated through out the client-server system to be meta-data. Dictionary.com defines meta-data to be definitional data that provides information about or documentation of other data managed within an application or environment. For example, meta-data may include descriptive information about the context, quality, and condition, or characteristics of the data. Although Philips does not define the data communicated through the remote control 322, to PC 320, to server 126 to be meta-data, by definition meta-data is communicated throughout system 300.

Regards to Claim 8, Philips teaches PC 320, second server, monitors home network 316 and controls data of devices linked to home network 316, "Pronto" universal programmable remote control device 322, receives the control data for a specific electronic apparatus from PC 320, and "Pronto" universal programmable remote control device 322 uses this data as the internal processing data.

For Claim 9, figure 3 of Philips shows server 126 connected through Internet 118 to PC 320. Server 126 determines which software components are necessary for end user's network 302 (page 10, lines 18-19).

Regards to Claim 10, Philips fails to teach whether the "Pronto" universal programmable remote control device 322 has the display means for combining the control data for the electronic apparatuses and displaying the combined data. Pronto shows on page 1 in the figure, a screen shot of the TSU2000. Displayed on the right side of the screen is the combined data of the remote control while on the left is displayed the control data for the electronic apparatuses. Therefore, it would have been

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obvious to one of ordinary skill in the art at the time the invention was made to implement a remote control with display means for combining the control data for the electronic apparatuses and displaying the combined data. One would have been motivated to implement a remote control with the means to display both the control data and combined data to allow users to navigate easily between each electronic apparatuses.

In regards to Claim 11, Philips teaches server 126 determines which hardware or software components (applications/services) can be used on the end-user's network 302 given the user's profile, his/her preferences, and the profile of home network 302. If it has been decided that there is a match between profiles 306 as stored in data base 122 and one or more of the information items stored in data base 124, the user gets notified, e.g., via the Internet, of the option to obtain the feature for being added to his/her equipment. If the user accepts the offer, the feature, e.g., a software application or a content data service, is pre-configured for the user's system 302. For example, the control codes for UI, the IR an/or RF control codes, the software components, static graphics, animations, etc., are packaged (page 10, lines 18-27).

Philips fails to teach whether the user initiates the download via first control apparatus e.g., remote control. The examiner gives Official Notice that it is notoriously well known in the art of home networks, particularly with respect to remote controls, to facilitate user interaction with a home network through the use of a remote control. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify Philips as to facilitate approval or disapproval of software or control updates through the use of a remote control.

With regards to Claim 12, figure 3 of Philips show server 126, which contains the control codes for UI, the IR an/or RF control codes, the software components, static graphics, animations, etc., is connected to home network 316 via the Internet. Home network 316 is shown linked to PC 320 which acts as a server for end-user's home network 302.

For Claim 13, figure 3 of Philips show EPG 312 connected to TV 308, which is connected to PC 320 via home network 316. Feature server 126 stores all data and features related to appliances on home network 316, including EPG data. According to Philips, electronic program guide (EPG) 312 can be installed on user's home network (page 11, lines 2-3).

Regards to Claim 15, Philips fails to teach whether the "Pronto" universal programmable remote control device 322 has a display screen, which can also be used as a touch panel. Philips also fails to teach if "Pronto" universal programmable remote control device 322 operates a predetermined electronic apparatus. Pronto discloses the TSU2000 comes with a large high resolution LCD touch screen display (page 1, 3rd bullet). Pronto also teaches in the figure on page 1, that the TSU2000 does operate a predetermined electronic apparatus and other electronic apparatuses can be chosen. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a control system with a universal remote control that operates a predetermined electronic apparatus that comprises a display screen that can

be used as a touch panel. One would have been motivated to implement this system with a touch screen display as to allow the user to customize the operation buttons for each electronic apparatus as well as change between operating predetermined electronic apparatuses.

For Claim 16, the Philips reference in view of Pronto shows a remote control as the first control apparatus.

Then for Claim 17, figure 3 of Philips shows electronic apparatuses that comprise of home appliances and audio-visual apparatuses connected to PC 320.

As for Claim 18, Pronto teaches the use of a large high resolution LCD (liquid crystal display) touch screen display (page 1, 3rd bullet) for the TSU2000. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the use of a LCD display screen for a remote control. One would have been motivated to use a LCD screen for the advantages of a smaller chip that provides better color, sharper images, and a brighter display at a lower cost.

For Claim 19, Philips fails to teach how the "Pronto" universal programmable remote control 322 sends/receives information to/from PC 320. Pronto teaches the TSU2000 is capable of communicating through two-way IR and two-way RS232 serial port (page 2, column 2 of specification). However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a system where the remote control and home server communicated through wired or wireless connections. One would have been motivated to implement a system for this purpose

for the advantage of sending and receiving information from up close or from another room.

As for Claim 20, Philips fails to define the data communicated between the remote control 322 and PC 320 to be meta-data. Dictionary.com defines meta-data to be definitional data that provides information about or documentation of other data managed within an application or environment. For example, meta-data may include descriptive information about the context, quality, and condition, or characteristics of the data. Although Philips does not define the data communicated between the "Pronto" universal remote control 322 and PC 320 to be meta-data, by definition meta-data is communicated between the two devices.

Regards to Claim 21, Philips teaches PC 320, second server, includes control data for first control apparatus, "Pronto" universal programmable remote control device 322, receives the control data for a specific electronic apparatus from PC 320, and "Pronto" universal programmable remote control device 322 uses this data as the internal processing data.

As for Claim 22, Philips fails to teach whether the "Pronto" universal programmable remote control device 322 has the display means for combining the control data for the electronic apparatuses and displaying the combined data. Pronto shows on page 1 in the figure, a screen shot of the TSU2000. Displayed on the right side of the screen is the combined data of the remote control while on the left is displayed the control data for the electronic apparatuses. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to

implement a remote control with display means for combining the control data for the electronic apparatuses and displaying the combined data. One would have been motivated to implement a remote control with the means to display both the control data and combined data to allow users to navigate easily between each electronic apparatuses.

With regards to Claim 23, Philips fails to teach whether the user initiates the download via first control apparatus e.g., remote control. The examiner gives Official Notice that it is notoriously well known in the art of home networks, particularly with respect to remote controls, to facilitate user interaction with a home network through the use of a remote control. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Philips as to facilitate approval or disapproval of software or control updates through the use of a remote control.

For Claim 24, figure 3 of Philips show EPG 312 connected to TV 308, which is connected to PC 320 via home network 316. PC 320 stores all data and features related to appliances on home network 316, including EPG data. According to Philips, electronic program guide (EPG) 312 can be installed on user's home network (page 11, lines 2-3).

7. Claims 14 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Philips in view of Pronto as applied to claims 1 and 15 above, and further in view of Hayes (U.S. 6,781,518 B1).

With regards to Claims 14 and 25, Philips as modified discloses PC 320 is linked to electronic apparatuses DVD 324, TV 308, Timer 314, VCR 310, and Scheduler 318

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to form home network 316. Philips fails to teach the use of IEEE 1394 connection between PC 320 and the electronic apparatuses. Hayes teaches the use of IEEE 1394 connection to connect entertainment equipment in figure 1A. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to connect the second server to the electronic apparatuses using IEEE 1394 standard connection. One would have been motivated to use a 1394 connection for the benefit of the cable required by the IEEE 1394 standard is very thin in size compared to other bulkier cables used to connect such devices.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to universal programmable remote controls and home networks:

U.S. Pat. No. 6,133,847 to Yang

U.S. Pat. No. 6,407,779 B1 to Herz

U.S. Pat. No. 6,828,992 B1 to Freeman et al.

U.S. Pat. No. 6,437,836 B1 to Huang et al.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chris Parry whose telephone number is (571) 272-8328. The examiner can normally be reached on Monday through Friday, 8:30 AM to 4:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiners Initials: CLP
May 31, 2005


JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600